

MERCHANT & GOULD P.C.  
United States Patent Application  
**DECLARATION UNDER 37 C.F.R. § 1.63**

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: WIDE WRITE HEAD WITH THERMAL ASPERITY DETECTOR AND METHOD OF USING THE SAME

The specification of which

- a. ☒ is attached hereto  
b. ☐ was filed on      as application serial no.      and was amended on      (if applicable) (in the case of a PCT-filed application) described and claimed in international no.      filed      and as amended on      (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.  
b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/212,937	20 JUNE 2000

-2-

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	<b>Full Name Of Inventor</b>	<b>Family Name</b> SCHAENZER	<b>First Given Name</b> MARK	<b>Second Given Name</b> JAMES
0	<b>Residence &amp; Citizenship</b>	<b>City</b> EAGAN	<b>State or Foreign Country</b> MINNESOTA	<b>Country of Citizenship</b> USA
1	<b>Post Office Address</b>	<b>Post Office Address</b> 1466 RICHARDS COURT	<b>City</b> EAGAN	<b>State &amp; Zip Code/Country</b> MINNESOTA 55122/USA
<b>Signature of Inventor 201:</b>				<b>Date:</b>
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> FRANZEN	<b>First Given Name</b> SCOTT	<b>Second Given Name</b> MICHAEL
0	<b>Residence &amp; Citizenship</b>	<b>City</b> CHAMPLIN	<b>State or Foreign Country</b> MINNESOTA	<b>Country of Citizenship</b> USA
2	<b>Post Office Address</b>	<b>Post Office Address</b> 7710 116TH AVENUE NORTH	<b>City</b> CHAMPLIN	<b>State &amp; Zip Code/Country</b> MINNESOTA 55316/USA
<b>Signature of Inventor 202:</b>				<b>Date:</b>

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SCHAENZER ET AL. Examiner: UNKNOWN  
 Serial No.: NEW FILING Group Art Unit: UNKNOWN  
 Filed: HERewith Docket No.: SEA9620.01/30874.112USU1  
 Title: WIDE WRITE HEAD WITH THERMAL ASPERITY DETECTOR AND  
 METHOD OF USING THE SAME

**POWER OF ATTORNEY BY ASSIGNEE AND**  
**CERTIFICATE BY ASSIGNEE UNDER 37 C.F.R. § 3.73(b)**

In the patent application identified and:

X attached hereto; or

☐ filed on \_\_\_\_\_ as application Serial No. \_\_\_\_\_

Seagate Technology LLC certifies under 37 C.F.R. § 3.73(b) that it is the assignee of the entire right, title and interest in the above-identified patent application by assignment. A copy of the assignment documents are attached hereto. Seagate Technology LLC hereby revokes all powers of attorney previously given in the above-identified patent application and hereby appoints the attorneys and agents of the firm listed as follows:

Albrecht, John W.	Reg. No. 40,481	DiPietro, Mark J.	Reg. No. 28,707
Ali, M. Jeffer	Reg. No. 46,359	Edell, Robert T.	Reg. No. 20,187
Anderson, Gregg I.	Reg. No. 28,828	Epp Ryan, Sandra	Reg. No. 39,667
Batzli, Brian H.	Reg. No. 32,960	Glance, Robert J.	Reg. No. 40,620
Beard, John L.	Reg. No. 27,612	Goggin, Matthew J.	Reg. No. 44,125
Berns, John M.	Reg. No. 43,496	Golla, Charles E.	Reg. No. 26,896
Black, Bruce E.	Reg. No. 41,622	Gorman, Alan G.	Reg. No. 38,472
Branch, John W.	Reg. No. 41,633	Gould, John D.	Reg. No. 18,223
Bremer, Dennis C.	Reg. No. 40,528	Gregson, Richard	Reg. No. 41,804
Bruess, Steven C.	Reg. No. 34,130	Gresens, John J.	Reg. No. 33,112
Byrne, Linda M.	Reg. No. 32,404	Hamer, Samuel A.	Reg. No. 46,754
Campbell, Keith	Reg. No. 46,597	Hamre, Curtis B.	Reg. No. 29,165
Carlson, Alan G.	Reg. No. 25,959	Harrison, Kevin C.	Reg. No. 46,759
Caspers, Philip P.	Reg. No. 33,227	Hertzberg, Brett A.	Reg. No. 42,660
Clifford, John A.	Reg. No. 30,247	Hillson, Randall A.	Reg. No. 31,838
Daignault, Ronald A.	Reg. No. 25,968	Holzer, Jr., Richard J.	Reg. No. 42,668
Daley, Dennis R.	Reg. No. 34,994	Johnston, Scott W.	Reg. No. 39,721
Dalglisch, Leslie E.	Reg. No. 40,579	Kadievitch, Natalie D.	Reg. No. 34,196
Daulton, Julie R.	Reg. No. 36,414	Karjeker, Shaukat	Reg. No. 34,049
DeVries Smith, Katherine M.	Reg. No. 42,157	Kettelberger, Denise	Reg. No. 33,924

Keys, Jeramie J.	Reg. No. 42,724	Schuman, Mark D.	Reg. No. 31,197
Knearl, Homer L.	Reg. No. 21,197	Schumann, Michael D.	Reg. No. 30,422
Kowalchyk, Alan W.	Reg. No. 31,535	Scull, Timothy B.	Reg. No. 42,137
Kowalchyk, Katherine M.	Reg. No. 36,848	Sebald, Gregory A.	Reg. No. 33,280
Lacy, Paul E.	Reg. No. 38,946	Skoog, Mark T.	Reg. No. 40,178
Larson, James A.	Reg. No. 40,443	Spellman, Steven J.	Reg. No. 45,124
Leon, Andrew J.	Reg. No. 46,869	Stoll-DeBell, Kirstin L.	Reg. No. 43,164
Leonard, Christopher J.	Reg. No. 41,940	Sullivan, Timothy	Reg. No. 47,981
Liepa, Mara E.	Reg. No. 40,066	Sumner, John P.	Reg. No. 29,114
Lindquist, Timothy A.	Reg. No. 40,701	Swenson, Erik G.	Reg. No. 45,147
Mayfield, Denise L.	Reg. No. 33,732	Tellekson, David K.	Reg. No. 32,314
McDonald, Daniel W.	Reg. No. 32,044	Trembath, Jon R.	Reg. No. 38,344
McIntyre, Jr., William F.	Reg. No. 44,921	Tunheim, Marcia A	Reg. No. 42,189
Mitchem, M. Todd	Reg. No. 40,731	Underhill, Albert L.	Reg. No. 27,403
Mueller, Douglas P.	Reg. No. 30,300	Vandenburgh, J. Derek	Reg. No. 32,179
Nichols, A. Shane	Reg. No. 43,836	Wahl, John R.	Reg. No. 33,044
Parsons, Nancy J.	Reg. No. 40,364	Weaver, Karrie G.	Reg. No. 43,245
Pauly, Daniel M.	Reg. No. 40,123	Welter, Paul A.	Reg. No. 20,890
Phillips, John B.	Reg. No. 37,206	Whipps, Brian	Reg. No. 43,261
Prendergast, Paul	Reg. No. 46,068	Whitaker, John E.	Reg. No. 42,222
Pytel, Melissa J.	Reg. No. 41,512	Williams, Douglas J.	Reg. No. 27,054
Qualey, Terry	Reg. No. 25,148	Withers, James D.	Reg. No. 40,376
Reich, John C.	Reg. No. 37,703	Witt, Jonelle	Reg. No. 41,980
Reiland, Earl D.	Reg. No. 25,767	Wu, Tong	Reg. No. 43,361
Roberts, Fred	Reg. No. 34,707	Xu, Min S.	Reg. No. 39,536
Samuels, Lisa A.	Reg. No. 43,080	Young, Thomas	Reg. No. 25,796
Schmaltz, David G.	Reg. No. 39,828	Zeuli, Anthony R.	Reg. No. 45,255

and also attorneys/ agents Edward P. Heller, III, Reg. No. 29,075, Shawn B. Dempster, Reg. No. 34,321, Leland Schultz, Reg. No. 30,322, Raghunath S. Minisandram, Reg. No. 38,683, Jonathan E. Olson, Reg. No. 41,231, Derek J. Berger, Reg. No. 45,401, and Cecilia A. Walsh, Reg. No. 45,659, of Seagate Technology.LLC, as its attorneys/agents with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

I ratify all prior actions taken by the attorneys and agents identified above in connection with the prosecution of the above-mentioned patent application. In addition, I authorize the attorneys and agents identified above to insert the filing date and serial no. of the application, as needed.

Send all correspondence to Natalie D. Kadievitch, Merchant & Gould P.C., P.O. Box 2903, Minneapolis, MN 55402-0903, and direct all telephone calls to Natalie D. Kadievitch at 612-336-4706.

SEAGATE TECHNOLOGY LLC

Date: \_\_\_\_\_, 2000

By: \_\_\_\_\_  
Edward P. Heller III, Patent Counsel  
Reg. No. 29,075

100250 E.E.S.E.E.E.